

These regulations were considered as Item #1 at the public hearing held on March 14, 2018, in Sacramento. No comments were received during the 45-day comment period from January 26, 2018 through March 14, 2018. Consequently, no changes have been made to the proposed regulations text.

Assembly Bill (AB) 2062 prohibits counties from assessing an overpayment (OP) for a California Work Opportunity and Responsibility to Kids (CalWORKs) program recipient for the month following a change in income if the recipient reported the change and the county was unable, before the first of the month following the change in income, to provide 10-day notice of the termination or reduction in benefits. For CalWORKs cases in which only the child or children in the household are aided, AB 2062 additionally prohibits counties from assessing an OP for a change in household composition if the recipient reported the change and the county was unable, before the first of the month following the change in income, to provide 10-day notice of the termination or reduction of benefits. The legislative deadline for these regulations to be effective is no later than July 1, 2018.

These regulations add to the following CalWORKs policy areas: reporting changes affecting eligibility, grant determinations, county actions, and overpayments due to the inability to provide 10-day notice of adverse action. These regulations amend the Manual of Policies and Procedures (MPP) sections 44-316.311 and 44-350.5.

Benefits:

The benefits of the regulatory action to the health and welfare of California residents, worker safety, and the state's environment are as follows: The amendments to the CalWORKs regulations as required by AB 2062 will benefit the health and welfare of CalWORKs recipients by eliminating a rule that currently results in unavoidable debt accrual for recipients. This change may positively impact these clients' lives and could help them make the move towards self sufficiency more successfully. Furthermore, the regulation changes required by AB 2062 removed a disincentive for CalWORKs clients to find employment as previous law required a county to issue an OP when a CalWORKs client started working and reported the change in income in a timely notice but the county was unable to issue a 10-day notice. There is no effect on worker safety, and the state's environment as the result of the proposed regulations because the regulations only affect individuals participating in the CalWORKs program.

Consistency:

The CDSS has found these regulation amendments neither inconsistent or incompatible with existing regulations because research was done by program to determine that these are non-duplicating and non-repetitive regulations, and that they do not negate or overlap other existing regulation or law. Further, these regulations are not duplicative of any federal law.

Incorporation by Reference:

This regulation action does not incorporate by reference any form or document.